

**DEPARTMENT OF CONSUMER AFFAIRS
LEGISLATIVE DIGEST
2007 Legislative Session**

B. BILLS BY DCA BOARDS, BUREAUS, & PROGRAMS

(1) ACCOUNTANCY

**AB 1185
Hayashi**

Accountants: Peer Review Program

Two Year Bill

Existing law requires the Board of Accountancy (Board) to review and evaluate whether to implement a peer review program and report its findings to the Legislature and Department of Consumer Affairs no later than September 1, 2011. This bill would instead require that the recommendation be provided by September 1, 2008.

**SB 414
Corbett**

Limited Liability Partnerships: Public Accountancy & Law

**Enacted
Chapter 80**

Increases from \$500,000 to \$1,000,000 the minimum amount of insurance required of a limited liability partnership firm registered for the practice of public accountancy or law.

**SB 654
Denham**

Accountants: Licensing Examination

Two Year Bill

Would provide that, for the purposes of qualifying applicants for admission to the accounting licensing examination and issuing certified public accountant licenses, the date on which an educational institution applied for accreditation shall be accepted as the date on which the institution was accredited if the accreditation was obtained at any time during the 5-year period subsequent to the application.

(2) ACUPUNCTURE

**AB 636
Levine**

Acupuncture

Two Year Bill

Would expand the list of techniques and modalities that a licensed acupuncturist may use on patients to include the use of light.

**SB 136
Cedillo**

Acupuncture: Tui Na

Two Year Bill

Would delete the term Asian massage and would instead authorize the holder of an acupuncturist's license to perform or prescribe the use of Tui Na; and would define Tui Na for purposes of that provision as a hands-on body treatment that uses pressure techniques, including myofascial release and manual therapy.

(3) ALL BOARDS / BUREAUS / COMMISSIONS / PROGRAMS

AB 107 Smyth	<u>Public Contracts: Prospective Bidders: Unauthorized Aliens</u> Would require all prospective bidders for state contracts to certify under penalty of perjury that none of their employees are unauthorized aliens.	Two Year Bill
AB 249 Eng	<u>Licensees: Healing Arts: Settlement Agreements</u> Existing law prohibits a physician and surgeon from including or permitting a gag clause in a settlement agreement arising from his or her practice. This bill would have extended the gag clause prohibition to all healing arts practitioners licensed by the Department of Consumer Affairs.	Vetoed
AB 295 Lieu	<u>State Agencies: Collection of Demographic Data</u> Would have required any state agency, board, or commission that reports the collection of demographic data as to the ancestry and ethnic origin of Californians, to make the collected data available to the public, except for confidential, personal identifying information.	Vetoed
AB 703 Ruskin	<u>Social Security Numbers</u> Would prohibit a person or entity from using a social security number as an identifier, except as required by federal or state law; require that records containing social security numbers be discarded or destroyed in a specified manner; and require the encryption or locked storage of records containing social security numbers.	Two Year Bill
AB 721 Maze	<u>Public Records: Request From Legislature</u> Would provide that, notwithstanding any other provision of the Public Records Act when a Member of the Legislature requests a public record from a state agency, the agency is required to make the determination and notification required by these provisions immediately and in no event later than three business days after receipt of the request.	Two Year Bill
AB 779 Jones	<u>Personal Information: State Agencies & Businesses</u> On or after July 1, 2008, would have prohibited a person, business, or public agency that sold goods or services to any resident of California and accepted as payment a credit card, debit card, or other payment device, from storing, retaining, sending, or failing to limit access to payment related data, retaining a primary account number, or storing sensitive authentication data, unless the person, business, or public agency had a data retention and disposal policy.	Vetoed
AB 865 Davis	<u>State Agencies: Live Customer Service</u> Would create the "State Agency Live Customer Service Act" and require that each state agency answer an incoming call with a live customer service agent or automated telephone answering equipment with an automated prompt that allows a caller to select the option to speak with a live customer service agent.	Two Year Bill

AB 973 Fuller	<u>Regional Occupational Centers & Programs: Fees</u>	Vetoed
	<p>Would have required a state department, commission, board, body, bureau or other agency to waive the application fee for a certificate, license and examination that it issued or administered if the applicant was a pupil who was enrolled in a public high school or graduated from a public high school no more than one year prior to the date of the application and who had fulfilled all of the requirements to be eligible for licensure or to take the exam by completing a course offered by a regional occupational center or program. Also would have required any department, commission, board, body, bureau or other agency that waived a fee under this bill to report to the Legislature statistics regarding the number, types and amounts of fees waived.</p>	
AB 1025 Bass	<u>Professions & Vocations: Licensure</u>	Vetoed
	<p>Would have prohibited a state licensing body from denying, revoking, or suspending a license based on a criminal conviction that had been expunged pursuant to specified provisions of the Penal Code, unless the body provides substantial evidence to justify the denial, suspension, or revocation; and required a licensing body that denies, suspended, or revoked a license based on a person's criminal history record to include with the notice of denial, suspension, or revocation a copy of the criminal history record relied upon for that denial, suspension, or revocation.</p>	
AB 1135 Strickland	<u>State Government Reports: Attestation</u>	Vetoed
	<p>Would have required a written report, submitted by any state agency or department to the Legislature, a Member of the Legislature, or any state legislative or executive body, to include a signed statement by the head of the agency or department, declaring that the factual contents of the written report are true/accurate; and would have provided that a violation of these provisions be punishable with a civil penalty not to exceed \$20,000.</p>	
AB 1136 Strickland	<u>Public Records: Academic Grades</u>	Two Year Bill
	<p>Would provide that, in responding to a request for public records, a state or local agency shall provide to the requester all disclosable records that are reasonably described by the requester.</p>	
AB 1393 Leno	<u>Public Records</u>	Vetoed
	<p>Would have, as of July 1, 2009, required any state agency that publishes an Internet Web site to include on the homepage of that site specified information that is not exempt from disclosure under the act about how to contact the agency, how to request records under the act, and a form for submitting online requests for records.</p>	

SB 30 Simitian	<u>Identity Information Protection Act of 2007</u>	Two Year Bill
	Would enact the Identity Information Protection Act of 2007. Until December 31, 2012, or as otherwise specified, the act would require identification documents that are created, mandated, purchased, or issued by various public entities that use radio waves to transmit data, or to enable data to be read remotely, to meet specified requirements; require those public entities and authorized third parties to protect operational system keys and data transmitted remotely by those identification documents from unauthorized access, and would restrict the disclosure thereof; and authorize declaratory or injunctive relief or a writ of mandate and attorney's fees and costs under specified circumstances.	
SB 374 Harman	<u>Military Service: Benefits</u>	Two Year Bill
	Would require every board, commission, or bureau of the Department of Consumer Affairs to waive the initial license fee and renewal fee for any professional license issued under the regulation of the Department for any qualified active member of the Armed Forces, or their spouse.	
SB 519 Governmental Organization Com	<u>State Agencies: Authority to Appoint an Interim Executive Officer</u>	Enacted Chapter 92
	Authorizes a state body to hold a special meeting for the purposes of appointing an "interim executive officer" upon the death, incapacity, or vacancy in the office of an executive officer.	
SB 618 Alquist	<u>State Agencies: Electronic Records</u>	Two Year Bill
	Would require every state agency, no later than January 1, 2010, to maintain all of its records in an electronic format.	
SB 721 Ashburn	<u>State Agencies: Succession Plans</u>	Two Year Bill
	Would require every state agency to establish and implement a succession plan by January 1, 2010 and report to the Legislature on the success or failure of this plan by January 1, 2012.	
SB 963 Ridley-Thomas	<u>Regulatory Boards: Operations</u>	Two Year Bill
	Would enact several significant changes to the administrative and operational structure of the Department of Consumer Affairs (Department). The most significant of these changes would establish the Office of the Consumer Advocate within the Department with the general duties of overseeing the various boards within the Department, and representing the interests of consumers before the boards and the Legislature; and would repeal the existing Sunset Review process, along with the inoperative and repeal dates for all boards within the Department, and instead provide that a board within the Department will be reviewed upon the written request of a member of the Legislature or the Office of the Consumer Advocate.	

SB 1047
Business,
Professions &
Economic
Dev Com

Professions & Vocations: Non-Health

Enacted
Chapter 354

Makes substantial and/or non-substantive changes to several of the Department of Consumer Affairs' (Department) non-health boards; and requires every board within the Department to meet at least three times each calendar year and authorizes the Director of the Department to exempt any board from the meeting requirement upon a showing of good cause and to call a special meeting of the board when a board is not fulfilling its duties.

(4) ARCHITECTS

AB 937
Business &
Professions
Committee

Architects

Enacted
Chapter 275

Provides that general partnerships and general corporations are accepted business entities for the practice of architecture; permits a corporation to furnish or supply by contract architectural services as long as the architects' professional services are offered and provided under the control of a licensed architect; and allows certain exceptions to the written contract requirements for landscape architects.

SB 797
Ridley-Thomas

Professions & Vocations: Architects

Two Year Bill

Would extend the authority of the California Architects Board to license and regulate architects to July 1, 2011.

(5) ATHLETIC COMMISSION

No bills introduced in the 2007 legislative session.

(6) AUTOMOTIVE REPAIR

AB 118
Nunez

Alternative Fuels & Vehicle Technologies: Funding

Enacted
Chapter 750

Creates an enhanced fleet modernization program for the retirement of high polluting vehicles to be administered by the Bureau of Automotive Repair and also raises specific vehicle fees to fund this program.

AB 255
De Leon

Air pollution: Clean Air & Energy Independence Fund

Two Year Bill

Would raise the smog abatement fee from \$12 to \$16 and create the Clean Air and Energy Independence Fund, to be managed by the Air Resources Board, where \$4 from every smog abatement fee would be deposited and directs how the funds can be spent.

AB 616
Jones

Smog Check: Annual Inspection: Repair Assistance Program

Two Year Bill

Would require vehicles 15 model years and older to undergo an annual smog inspection and require funds generated through additional inspection fees to be deposited in the High Polluter Repair or Removal Account; make the repair assistance program only available to low-income individuals and would change the maximum income level from 200% to 300% above the federal poverty level; and increase total repair cost assistance from \$450 to \$750 for owners of high polluting vehicles.

AB 1483 Carter	<u>Automotive Repair: Crash Parts</u>	Vetoed
	Would have required an automotive repair dealer to provide a signed affirmation to the customer upon completion of auto body or collision repairs indicating that crash parts identified on the written estimate provided to customer were installed on the customer's motor vehicle.	
AB 1488 Mendoza	<u>Air Pollution: Diesel-Powered Vehicles</u>	Enacted Chapter 739
	Includes diesel-powered vehicles manufactured after the 1997 model-year with a gross vehicle weight rating of less than 8,501 pounds in the biennial smog check program starting January 1, 2010, and requires diesel-powered vehicle smog check testing to include on-board diagnostic testing.	
SB 1047 Business, Professions & Economic Dev Com	<u>Professions & Vocations: Automobile Service Contractors</u>	Enacted Chapter 354
	Updates terminology to require the Director of the Department of Consumer Affairs to issue, deny, or revoke registrations of the service dealer rather than validate, refuse to validate, or invalidate registrations; and extends the sunset date from January 1, 2008 to January 1, 2013 for the Bureau of Automotive Repair's regulation of service contractors.	

(7) BARBERING & COSMETOLOGY

AB 105 Lieu	<u>Tanning Facilities</u>	Enacted Chapter 590
	Amends the Filante Tanning Facility Act to prohibit youth between the ages of 14 and 18 from using an ultraviolet tanning device at a tanning facility unless a parent or guardian provides in-person consent.	
AB 265 Mendoza	<u>Barbering & Cosmetology: Threading</u>	Enacted Chapter 50
	Existing law provides that until July 1, 2008, threading is excluded from the practice of barbering and cosmetology. This statute extends the July 1, 2008 inoperative date until July 1, 2009.	
AB 1545 Eng	<u>Professions & Vocations: Sunset Date</u>	Two Year Bill
	Would extend the sunset date of the State Board of Barbering and Cosmetology for one year.	
SB 797 Ridley-Thomas	<u>Professions & Vocations: Barbering & Cosmetology</u>	Two Year Bill
	Would extend the authority of the State Board of Barbering and Cosmetology to be inoperative July 1, 2009 and repealed on January 1, 2010.	

(8) BEHAVIORAL SCIENCES

AB 234
Eng

Family Therapists & Psychologists

Enacted
Chapter 586

Provides that not more than 125 hours of the minimum 3,000 hour experience requirement may be earned by supplying personal psychotherapy services via telemedicine; modifies the list of “professional enrichment activities” to include personal psychotherapy; prohibits marriage and family therapist (MFT) trainees from leasing space, furnishings, equipment or supplies, or paying for the obligations of their employers in any way; specifies that education gained outside of California must be inline with the California licensing requirements; and ensures that the continuing education requirements for licensed psychologists are consistent with the those for MFTs and licensed clinical social workers.

AB 1178
Hernandez

Medical Information: Disclosures

Enacted
Chapter 506

Adds to the Confidentiality of Medical Information Act a provision stating that the disclosure of medical information is allowable under circumstances in which a psychotherapist, in good faith, believes that the disclosure is necessary to prevent or lessen a serious and imminent threat to the health and safety of a reasonably foreseeable victim or victims, and the disclosure is made to a person or persons reasonably able to prevent or lessen the threat, including the target of the threat.

AB 1367
DeSaulnier

Alcoholism & Drug Abuse Counselors

Two Year Bill

Would enact the Substance Abuse Professionals Licensing Law and provide for the licensing, registration, and regulation of alcoholism and drug abuse counselors (ADAC) and interns as defined by the Board of Behavioral Sciences (Board); provide for the addition of two licensed ADACs to the Board on or after January 1, 2009; enact licensing requirements for licensed ADACs and interns and set fourth the grounds for suspensions and revocation of a license; and prohibit anyone from holding themselves out as a licensed ADAC without a valid license issued under the chapter.

AB 1486
Calderon,
Charles

Licensed Professional Counselors

Two Year Bill

Would create license and regulation requirements for licensed professional counselors (LPC) and interns by the Board of Behavioral Sciences (Board) and enact various training and practice requirements for these practitioners; add four additional members to the Board; authorize the Board to issue licenses and impose fees on LPC's and interns; provide that program start-up costs would be funded by a loan from the Behavior Sciences Fund subject to legislative approval; and establish that a violation of bill provisions would subject the violator to civil penalties.

SB 797 Ridley-Thomas	<u>Professions & Vocations: Behavioral Sciences</u>	Two Year Bill
	Would specify that unprofessional conduct includes engaging in specified acts with a minor.	

SB 1048 Business, Professions & Economic Dev Com	<u>Healing Arts: Behavioral Sciences</u>	Enacted Chapter 588
	Revises licensure requirements for a licensee with an out-of state license; revises provisions relating to inactive licenses, intern registration, renewal of expired licenses, continuing education requirements, and licensure fees.	

(9) CEMETERY & FUNERAL

SB 795 Yee	<u>Cemeteries: Investment of Special Care Trust Funds</u>	Enacted Chapter 307
	Provides that any investment that is lawful for endowment care funds is a lawful investment for any special care trust, as well as lays out guidelines governing special care trust fund agreements between the board of trustees or cemetery authority and the trustor.	

SB 824 Padilla	<u>Professions & Vocations: Cemetery/Funeral</u>	Two Year Bill
	Would delete obsolete implementation dates and language regarding the Cemetery Board and the Funeral Directors and Embalmers Board.	

(10) CONTRACTORS

AB 243 Nakanishi	<u>Contractors: Filing Complaints & Disciplinary Actions</u>	Enacted Chapter 85
	Extends the time the Contractors' State License Board (CSLB) has to file a disciplinary action against a licensee convicted of crimes related to the qualifications, functions and duties of a contractor to within 2 years after discovery of the conviction by the registrar; and extends the amount of time the CSLB has to file a disciplinary action regarding a breach of an express warranty to 18 months from the expiration of the warranty.	

AB 244 Nakanishi	<u>Home Improvement Service & Repair Contracts</u>	Enacted Chapter 230
	Updates the Business and Professions Code to coincide with amendments made to the Home Improvement Act in 2005 and closes a loophole that prevents unlicensed contractors who enter into oral contracts from being prosecuted.	

AB 455 Cook	<u>Contractors State License Board</u>	Two Year Bill
	Would provide that to constitute an act or decision of the Contractors' State License Board (CSLB), a majority of the board members currently serving on the CSLB must vote concurrently.	

AB 456 Cook	<u>Construction Management Education Account</u>	Two Year Bill
	Would continuously appropriate funds in the Construction Management Education Account, thus making authority to spend these funds exempt from appropriation by the Legislature through the budget process.	
AB 711 Emmerson	<u>Landscape Contractors</u>	Enacted Chapter 107
	Authorizes a landscape contractor, working within their license classification, to enter into a prime contract for the construction of an outdoor cooking center or an outdoor fireplace.	
AB 785 Hancock	<u>Energy Efficiency Measures</u>	Vetoed
	Would have specified that a failure of a licensee to comply with building energy efficiency standards constitutes a cause for disciplinary action and civil penalties could result for not complying with these standards or for failing to obtain a building permit for work subject to these standards; and would also have required the Contractors' State License Board (CSLB) to compile data and submit a report to the Legislature that included the number of civil penalties assessed by the CSLB against licensees and unlicensed contractors who failed to comply with these standards.	
AB 936 Business & Professions Committee	<u>Contractors</u>	Enacted Chapter 240
	Deletes obsolete implementation dates from the Contractors' State License Law and requires a licensee with an inactive license to inform the registrar of a change of address of record for 5 years after the expiration of the license.	
SB 138 Calderon	<u>Construction Contracts: Indemnity</u>	Enacted Chapter 32
	Provides that all agreements affecting residential construction contracts entered into or amended after January 1, 2008, that purport to indemnify the general contractor or contractor not affiliated with the builder by a subcontractor against liability for claims of construction defects or other injury to property relating to the negligence of specified person, or for claims unrelated to the scope of the work in the agreement are unenforceable.	
SB 237 Dutton	<u>Contractors: Mechanics' Liens</u>	Two Year Bill
	Would require a contractor who records a lien claim and who fails to perform specified acts, within 90 days of recording the claim, to execute and record a release of the lien within 15 days of the date the lien became null and void; and would provide that a violation of its provisions would subject a contractor to disciplinary action and a civil penalty and would require notice to the contractor before commencing any such disciplinary action.	
SB 354 Margett	<u>Contractors: Aiding Unlicensed Persons</u>	Enacted Chapter 299
	Authorizes the Contractors' State License Board to issue to a licensee, who has aided and abetted an unlicensed person, a citation which includes an order for payment for financial injury caused by the acts of the unlicensed person.	

SB 355 Margett	<u>Contractors: Consultants</u>	Two Year Bill
	Would include with the definition of contractor, a person who schedules subcontractors or provides a service in order to complete a project, or part thereof for a work of improvement that is covered by a specified license classification.	
SB 569 Steinberg	<u>Public Works: Prevailing Wage Payroll Records</u>	Two Year Bill
	Would require the body awarding a public work contract to report the name and license number of each contractor and subcontractor performing work and the name, location, and identification number of the public works project to the Contractors' State License Board (CSLB) and would require the CSLB to post this information on the their Web site.	
SB 738 Calderon	<u>Works of Improvement</u>	Two Year Bill
	Would require a contractor, prime contractor, or subcontractor, on all public works of improvement, to pay the subcontractor within 7 days, rather than 10 days, of receipt of each progress payment and would require subcontractors and suppliers to file preliminary notices in order to enforce a claim against a bond.	
SB 797 Ridley-Thomas	<u>Professions & Vocations: Tree Services</u>	Two Year Bill
	Would require that any person who offers to perform, purports to have the capacity to perform, or submits a bid to perform tree removal and pruning services must be licensed by the Contractors' State License Board.	
SB 1047 Business, Professions & Economic Dev Com	<u>Professions & Vocations: Contractors</u>	Enacted Chapter 354
	Recasts bonding provisions to remove references to an increase in bond requirements which became outdated on January 1, 2007.	

(11) COURT REPORTERS

AB 1545 Eng	<u>Professions & Vocations: Sunset Date</u>	Two Year Bill
	Would extend the sunset date of the Court Reporters Board of California for one year.	
SB 797 Ridley-Thomas	<u>Professions & Vocations: Court Reporters</u>	Two Year Bill
	Would extend the inoperative and repeal dates for the Court Reporters Board.	

(12) DENTISTS / DENTAL AUXILIARIES

AB 269
Eng

Dentists & Dental Auxiliaries: Licensure Renewal

Enacted
Chapter 262

Requires dentists and dental auxiliaries to report upon their application for initial and renewal licensure, information regarding specialty board certification and practice status to the Dental Board of California (Board) and Committee on Dental Auxiliaries (COMDA); authorizes the Board and COMDA to post this information on their respective websites; authorizes dentists and dental auxiliaries licensees to report cultural background and foreign language proficiency to the Board or COMDA and requires this information to be posted on the Board's and COMDA's website by July 1 of each year.

AB 1545
Eng

Professions & Vocations: Dentists & Dental Hygienists

Two Year Bill

Would extend the sunset date for the Dental Board of California to July 1, 2011; abolish the Committee on Dental Auxiliaries and create the Dental Hygiene Committee of California and a standing dental assisting committee; create the State Dental Hygiene Fund and the State Dental Assistant Fund in the Professions and Vocations Fund and require that fees paid by hygienists and dental assistants be deposited into their respective funds; require dentists and hygienists to report all deaths that occur as a result of their treatment to their respective regulating authority; and allow the Hygiene Committee to review and make recommendations to any changes the dental board proposes to infection control guidelines.

SB 252
Aanestad

Dentistry: Registered Sex Offenders

Enacted
Chapter 13

Authorizes the Dental Board of California to deny, revoke, or suspend a license of an individual who is required to register as a sex offender.

SB 387
Alquist

Dentists: Death or Incapacity

Enacted
Chapter 433

Allows the legal guardian of an incapacitated dentist, the executor of the estate of a deceased dentist, or the named trustee of a trust consisting of a dental practice of a deceased or incapacitated dentist to contract with licensed dentists to continue operation of a dental practice of the deceased or incapacitated dentist, for a period of up to 12 months from the date of death or incapacity if the practice meets specified criteria.

SB 534
Perata

Dentistry: Dental Assistants & Hygienists

Vetoed

Would have extended the sunset date for the Dental Board of California to July 1, 2011; abolished the Committee on Dental Auxiliaries and created the Dental Hygiene Committee of California and a standing dental assisting committee; created a State Dental Hygiene Fund and the State Dental Assistant Fund in the Professions and Vocations Fund and required that fees paid by hygienists and dental assistants be deposited into their respective funds; required dentists and hygienists to report all deaths that occur as a result of their treatment to their respective regulating authority; and allowed the Hygiene Committee to review and make recommendations to any changes the dental board proposes to infection control guidelines.

**SB 620
Correa**

Dentistry: General Anesthesia

**Enacted
Chapter 210**

Deletes the January 1, 2008 sunset date in the Dental Practice Act which allows a physician and surgeon to administer general anesthesia to a patient at a dental office, as long as the physician and surgeon has a valid permit issued by the Dental Board of California.

**SB 1048
Business,
Professions &
Economic
Dev Com**

Healing Arts: Dental Auxiliaries

**Enacted
Chapter 588**

Delays from January 1, 2008 to January 1, 2010, the operation of provisions revising the duties and licensure criteria for certain dental auxiliaries; revises the licensure and examination fee provisions and education requirements; and increases the application fee for an original license.

**SB 1049
Business,
Professions &
Economic
Dev Com**

Healing Arts: Registered Dental Assistants

**Enacted
Chapter 587**

Extends the existing licensure requirements for registered dental assistants currently scheduled to lapse from September 1, 2007 to September 1, 2009. **(Urgency Measure)**

(13) ELECTRONIC & APPLIANCE REPAIR

**SB 1047
Business,
Professions &
Economic
Dev Com**

Professions & Vocations: Electronic & Appliance Repair

**Enacted
Chapter 354**

Updates terminology to require the Director of the Department of Consumer Affairs to issue, deny, or revoke registrations of the service dealer rather than validate, refuse to validate, or invalidate registrations; and extends the sunset date from January 1, 2008 to January 1, 2013 for the Bureau of Electronic and Appliance Repair's regulation of service contractors.

(14) ENGINEERS & LAND SURVEYORS,

**SB 1047
Business,
Professions &
Economic
Dev Com**

Professions & Vocations: Engineers & Land Surveyors

**Enacted
Chapter 354**

Requires a licensee to report to the Board for Professional Engineers and Land Surveyors (Board) a felony conviction and a civil judgment, settlement, arbitration award, or administrative action award occurring on or after January 1, 2008; and authorizes the Board to revoke the certificate of any engineer-in-training or land surveyor-in-training for committing any act constituting grounds for denial of a license.

(15) FIDUCIARIES, PROFESSIONAL

**AB 316
Spitzer**

Guardianships & Conservatorships: Investments

Two Year Bill

Would revise and expand what investments a guardian or conservator may make on behalf of an estate without prior court approval, permit a conservator to manage the estate of a conservatee in consideration of the interests of persons other than the conservatee.

AB 1727

Conservators & Guardians

Enacted

Requires various special filings for professional conservators; permits the disclosure of confidential health information in conservatorship investigations; establishes procedures for a public guardian to investigate the necessity of a conservatorship; and makes various changes to streamline court procedures.

**SB 183
Corbett**

Elderly & Dependent Adults: Civil Actions

**Enacted
Chapter 48**

(1) Repeals the requirement for a petition for the transfer of the right to commence or maintain an action for relief for abuse of an elderly or dependent adult who has died, and permits the automatic passing of this right to the decedent's personal representative, intestate heir, successor in interest, or an interested party; and (2) Permits the court to grant specified persons the right to commence or maintain an action for elder abuse if the representative of the decedent was the abusive party or has a conflict of interest, or if multiple claims to the right to commence or maintain an action are made.

**SB 800
Corbett**

Conservatorship & Guardianship

Two Year Bill

Would require a conservator to establish a general plan for the care of a conservatee; establish procedures for a proposed move of residence of a conservatee; and require a professional conservator to include registration information on a petition for conservatorship.

**SB 1047
Business,
Professions &
Economic
Dev Com**

Professions & Vocations: Fiduciaries

**Enacted
Chapter 354**

Extends the date by which a person must be licensed by the Professional Fiduciaries Bureau (Bureau); requires a professional fiduciary to have a baccalaureate degree, an associate degree plus three years of experience, or five years of experience prior to July 1, 2012; and requires the Bureau to maintain information regarding whether the licensee has ever been removed as a fiduciary by a court.

(16) GEOLOGISTS & GEOPHYSICISTS

No bills introduced in the 2007 legislative session.

(17) GUIDE DOGS

No bills introduced in the 2007 legislative session.

(18) HEARING AID DISPENSERS

**AB 311
Dymally**

Hearing Aids: Over-the-Counter Sales

Two Year Bill

Would authorize the over-the-counter sale of hearing aids by an unlicensed person if consistent with federal law.

(19) HOME FURNISHINGS & THERMAL INSULATION

AB 706
Leno

Fire Retardants: Toxic Effects

Two Year Bill

Would require the Bureau of Home Furnishings and Thermal Insulation to modify its fire safety standard for all seating, bedding, and furniture (products) to ensure that they do not contain certain toxic chemicals, and require all such products to be affixed with a label identifying the type of chemicals used to achieve fire and flame retardancy.

SB 1047
Business,
Professions &
Economic
Dev Com

Professions & Vocations: Home Furnishing & Thermal Insulation

Enacted
Chapter 354

Clarifies that the terms “secondhand” and “used” include both furniture and bedding under the Home Furnishings and Thermal Insulation Act; and requires licensees to pay all accrued renewal, delinquent, and penalty fees in order to renew an expired license.

(20) LANDSCAPE ARCHITECTS

AB 937
Assembly
Business&
Professions
Committee

Landscape Architects

Enacted
Chapter
275

Adds additional exceptions to the written contract requirements for Landscape Architects

(21) MEDICINE

AB 253
Eng

Medical Board of California

Enacted
Chapter 678

Reduces the size of the Medical Board (Board) from 21 members to 15 members with a physician member majority; abolishes the divisions of Licensing and Medical Quality and instead provides for the Board as a whole to handle the responsibilities of the divisions; and requires the Board to delegate to its Executive Director the authority to adopt default decisions and certain stipulations in disciplinary proceedings.

AB 329
Nakanishi

Chronic Diseases: Telemedicine

Enacted
Chapter 386

Authorizes the Medical Board (Board) to establish a “pilot program” to expand the practice of telemedicine; authorizes the Board to convene a working group to discuss the means of delivering health care via health information technologies; and, requires the Board to submit a legislative report within one calendar year of the commencement date of the pilot program.

AB 555
Nakanishi

Healing Arts: Medical Records

Two Year Bill

States the Legislature’s intent to enact legislation requiring the Medical Board to work with interested parties to develop an electronic system that would allow any physician and surgeon in the state to access patient medical records.

AB 1480 Mendoza	<u>Physicians & Surgeons: Medical Board</u>	Two Year Bill
	Would make non-substantive changes to the Medical Practice Act regarding divisions of the Medical Board.	
SB 102 Migden	<u>Blood Transfusions</u>	Enacted Chapter 88
	Allows a physician and surgeon or podiatrist to provide, through a nurse midwife, physician assistant, or nurse practitioner, information to a patient on the options and risks associated with receiving a blood transfusion.	
SB 478 Hollingsworth	<u>Physicians & Surgeons: Loan Repayment</u>	Two Year Bill
	Would express the Legislature's intent to establish a loan repayment program for physicians who practice in medically underserved areas.	
SB 661 Maldonado	<u>Healing Arts: Anatomic Pathology Services</u>	Enacted Chapter 656
	Prohibits healing arts professionals from billing for any "anatomic pathology services", as narrowly defined.	
SB 761 Ridley-Thomas	<u>Healing Arts: Diversion: Investigations</u>	Two Year Bill
	Would authorize the Medical Board (Board) to employ special agents; require the board, commencing on July 1, 2008, to transition investigators who are peace officers and who handle the most complex and varied types of disciplinary investigations into a special agent classification; and require the first reclassification to be completed on or before June 30, 2009.	
SB 764 Migden	<u>Health Care Providers</u>	Vetoed
	Would have required the Medical Board of California and the Osteopathic Medical Board of California to provide to the Office of Statewide Health Planning and Development (OSHPD) information regarding individual board licentiates upon request by the OSHPD; and required that OSHPD, on or before June 1, 2009, provide to the Legislature and the Department of Health Care Services a report that makes a 5-year projection on the full-time, practicing primary care physician and surgeon workforce in the state.	
SB 797 Ridley-Thomas	<u>Professions & Vocations: Medical Board</u>	Two Year Bill
	Would require the Medical Board of California (Board) to increase its computer capabilities with the Health Quality Enforcement Staff and to implement a plan to locate the enforcement Staff and the staff of the Health Quality Enforcement Section in the same building; and would require the Board to report and make recommendations to the Governor and the Legislature on the enforcement and prosecution model by July 1, 2008.	

**SB 843
Calderon**

Medical Information

Two Year Bill

Would allow a pharmacy to make specified communications to a patient, without the patient's authorization, so long as the patient may opt out of receiving those communications. If the communications are paid for by a manufacturer, distributor, or provider of a health care product or service the communication must disclose, in a clear, written, statement the source of any sponsorship.

**SB 907
Calderon**

Physicians & Surgeons: Referrals

Two Year Bill

Would provide that it is *not* unlawful for a physician and surgeon to provide consideration for a referral for an elective cosmetic procedure if specified conditions are met.

**SB 1048
Business,
Professions &
Economic
Dev Com**

Healing Arts: Medical Board

**Enacted
Chapter 588**

Specifies that an applicant remains eligible for a physician and surgeon's certificate issued by the Medical Board after having obtained a passing score on the licensure examination in more than four attempts.

(22) NATUROPATHIC MEDICINE

**SB 1048
Business,
Professions &
Economic
Dev Com**

Healing Arts: Naturopathy

**Enacted
Chapter 588**

Deletes the requirements that a licensee of the Bureau of Naturopathic Medicine pass a recertifying exam after his or her 10th anniversary of initial licensure.

(23) OCCUPATIONAL THERAPY

**SB 1048
Business,
Professions &
Economic
Dev Com**

Healing Arts: Occupational Therapy

**Enacted
Chapter 588**

Deletes a provision of existing law to specify that the information on the Board's Internet Web site is adequate for licensure verification purposes.

(24) OFFICE OF PRIVACY PROTECTION

**AB 88
Lieu**

Pupil Instruction: Internet Safety Resources

Two Year Bill

Would require the State Department of Education to work with the Department of Consumer Affairs to ensure that, at a minimum, the resources included in the California Cyber Safety Resource Center encompass information about specified subjects on Internet safety.

**AB 429
Evans**

Lodging: Privacy

Two Year Bill

Would prohibit an innkeeper from disseminating the personal information of a guest, to any third party, with specified exceptions.

AB 555 Nakanishi	<u>Healing Arts: Medical Records</u>	Two Year Bill
	Would state the Legislature's intent to enact legislation requiring the Medical Board to work with interested parties to develop an electronic system that would allow any physician and surgeon in the state to access patient medical records.	
AB 588 De Leon	<u>Credit History: Public Utilities</u>	Two Year Bill
	Would allow utility providers, upon receipt of the express written consent of the subscriber, to release the subscriber's payment history to financial institutions specified by the utility subscriber and would authorize utility providers to release the subscriber's payment history to credit reporting agencies upon providing notice and would allow the providers to recover reasonably related costs from such agencies.	
AB 779 Jones	<u>Personal Information: State Agencies & Businesses</u>	Vetoed
	On or after July 1, 2008, would have prohibited a person, business, or public agency that sold goods or services to any resident of California and accepted as payment a credit card, debit card, or other payment device, from storing, retaining, sending, or failing to limit access to payment related data, retaining a primary account number, or storing sensitive authentication data, unless the person, business, or public agency had a data retention and disposal policy.	
AB 814 Hayashi	<u>Consumer Sales Security Act</u>	Two Year Bill
	Would require the Office of Privacy Protection to develop an identity theft prevention program for businesses and retailers that will educate them on security methods and procedures to better protect the personal information and financial data of their customers.	
AB 1168 Jones	<u>Social Security Numbers</u>	Enacted Chapter 627
	Requires the Office of Privacy Protection to establish a task force, with specified members, to conduct a review of the use by all public and private colleges and universities in this state of social security numbers in order to recommend practices to minimize the collection, use, storage, and retention of social security numbers; requires the task force to commence meetings no later than May 1, 2008; and, on or before July 1, 2010, to submit a report of its findings and recommendations to the Office of Privacy Protection and to the Assembly Committee on Judiciary and the Senate Committee on Judiciary.	
AB 1298 Jones	<u>Personal Information: Disclosure</u>	Enacted Chapter 699
	Applies the Confidentiality of Medical Information Act to <u>any</u> corporation that maintains medical information for treatment or diagnosis; regardless of the existence of a security freeze, permits a consumer reporting agency to disclose public record information; and adds private medical and health insurance information to the definition of "personal information" thereby requiring a state agency, or a person or business that conducts business in California to disclose a breach of security of a person's unencrypted medical or health care records.	

AB 1587 De La Torre	<u>Personal Information: Pharmacy</u>	Two Year Bill
	Would exclude from the definition of marketing a written communication or written message provided to a pharmacy patient by a pharmacist or pharmacy personnel that meets specified conditions.	
SB 30 Simitian	<u>Identity Information Protection Act of 2007</u>	Two Year Bill
	Would enact the Identity Information Protection Act of 2007. Until December 31, 2012, or as otherwise specified, the act would require identification documents that are created, mandated, purchased, or issued by various public entities that use radio waves to transmit data, or to enable data to be read remotely, to meet specified requirements; require those public entities and authorized third parties to protect operational system keys and data transmitted remotely by those identification documents from unauthorized access, and would restrict the disclosure thereof; and authorize declaratory or injunctive relief or a writ of mandate and attorney's fees and costs under specified circumstances.	
SB 90 Budget & Fiscal Review Com	<u>State Government: Information Technology</u>	Enacted Chapter 183
	Creates the Office of Information Security and Privacy Protection in the State and Consumer Services Agency by merging the California Office of Privacy Protection and the California State Information Security Office.	
SB 216 Cox	<u>Judgments: Social Security Numbers</u>	Two Year Bill
	Would delete the requirement that abstracts of judgments or decrees requiring the payment of money contain the social security number of the judgment debtor or party ordered to pay support, and instead require only the last four digits of that person's social security number.	
SB 328 Corbett	<u>Personal Information: Prohibited Practices</u>	Two Year Bill
	Would include a telephone calling pattern record or list in the definition of personal information, prohibit any person from obtaining or attempting to obtain, or disclosing personal information about a customer or employee contained in the records of a business and would also provide civil remedies for violations of the provisions of this bill.	
SB 364 Simitian	<u>Personal Information: Privacy</u>	Two Year Bill
	Under existing law, agencies that own or license computerized data that includes personal information are required to disclose any breach of the security of that data to California residents whose unencrypted data was acquired by or reasonably believed to have been acquired by unauthorized persons. If the cost of disclosure is over \$250,000, or more than 500,000 people were affected, then alternative notification methods are allowed. This bill would lower the threshold of alternative notification to \$100,000, and repeal duplicative provisions of law.	

SB 388
Corbett

Privacy: Radio Frequency Identification Tags

Two Year Bill

Would require any private entity that sells, furnishes, or otherwise issues a card or other item containing a radio frequency identification (RFID) tag that may be scanned for personal information to provide specified information to the recipient of the card, allow, in the case of a medical emergency, during which a card or item containing a RFID tag is furnished or issued, the scanning of said item, and authorize an aggrieved party to bring an action against a violator for nominal or actual damages. Would also require that attorney's fees and costs be awarded to a prevailing party.

SB 449
Aanestad

Crime Records: Victims of Sex Offenses

Enacted
Chapter 578

Adds certain crimes to the list of sex offenses that qualify for the protection of victims' names and addresses from disclosure under the California Public Records Act.

SB 644
Correa

Court Records: Social Security Numbers

Enacted
Chapter 189

Limits the use of a social security number (SSN) to only the last four digits of the SSN on certain court documents ordering a party to pay money and requires that tax assessors limit the use of SSNs to the last four digits of the number on tax liens.

SB 751
Cogdill

Identity Theft

Two Year Bill

Existing law provides that the jurisdiction of a criminal action for unauthorized use of another's personal identifying information is the county where the theft occurred or where the information was illegally used. This bill would expand that provision to specify that the jurisdiction of a criminal action involving the unauthorized use of another's personal identifying information, as defined, also includes the county where the victim resides, regardless of whether the personal information was used in that county.

SB 954
Ridley-Thomas

Consumer Credit Reports

Two Year Bill

Would make technical, non-substantive changes to the existing law regulating the contents and uses of consumer credit reports.

(25) OPTOMETRY

AB 986
Eng

Optometrists: Records Retention

Enacted
Chapter 276

Increases certain fees and establishes new fees assessed by the State Board of Optometry; requires optometrists to retain patients' records for at least seven years after the patient completes treatment and if the patient is a minor, seven years after the patient completes treatment and at least until the patient reaches nineteen years of age; exempts an optometrist from notifying the Board of the address of his or her temporary practice at specified settings; and requires the optometrist to carry evidence of licensure while practicing in those settings and to include the address of his or her primary practice and the temporary practice setting on a receipt provided to the patient.

AB 1044 Strickland	<u>Optometrists: Temporary Address</u>	Two Year Bill
	Would exempt an optometrist from notifying the Board of Optometry of the address of his or her temporary practice at specified settings, and would require the optometrist to carry evidence of licensure while practicing in those settings and to include the address of his or her primary practice and the temporary practice setting on a receipt provided to the patient.	
AB 1224 Hernandez	<u>Optometrists: Telemedicine</u>	Enacted Chapter 507
	Allows optometrists to practice telemedicine, defined as the practice of health care delivery, diagnosis, consultation, treatment, transfer of medical data, and education using interactive audio, video, or data communications.	
SB 797 Ridley-Thomas	<u>Professions & Vocations: Board of Optometry</u>	Two Year Bill
	Would delete an obsolete reference to the Therapeutic Pharmaceutical Agent Advisory Committee.	
SB 1048 Business, Professions & Economic Dev Com	<u>Healing Arts: Optometrists</u>	Enacted Chapter 588
	Requires an applicant for licensure to also sign a release allowing disclosure of information from the Healthcare Integrity and Protection Data Bank.	

(26) OSTEOPATHIC MEDICINE

SB 102 Migden	<u>Blood Transfusions: Osteopathic Medicine</u>	Enacted Chapter 88
	Allows a physician and surgeon or podiatrist to provide, through a nurse midwife, physician assistant, or nurse practitioner, information to a patient on the options and risks associated with receiving a blood transfusion.	
SB 478 Hollingsworth	<u>Physicians & Surgeons: Loan Repayment</u>	Two Year Bill
	Would express the Legislature's intent to establish a loan repayment program for physicians who practice in medically underserved areas.	
SB 764 Migden	<u>Health Care Providers</u>	Vetoed
	Would have required the Medical Board of California and the Osteopathic Medical Board of California to provide to the Office of Statewide Health Planning and Development (OSHDP) information regarding individual board licentiates upon request by the OSHDP; and required that OSHDP, on or before June 1, 2009, provide to the Legislature and the Department of Health Care Services a report that makes a 5-year projection on the full-time, practicing primary care physician and surgeon workforce in the state, as specified.	

**SB 907
Calderon**

Physicians & Surgeons: Referrals

Two Year Bill

Would provide that it is *not* unlawful for a physician and surgeon to provide consideration for a referral for an elective cosmetic procedure if specified conditions are met.

(27) PHARMACY

**AB 543
Plescia**

Surgical Clinics: Licensure

Vetoed

Would have provided that a surgical clinic that is licensed by the State Department of Public Health, accredited by an accreditation agency, or certified to participate in the Medicare Program is not entitled to specified benefits until it has obtained a license issued by the Board of Pharmacy. It would have also specified inspection requirements for the accredited or certified surgical clinics.

**AB 851
Brownley**

Prescription Drugs: Informational Insert

Two Year Bill

Would require a pharmacist to include a large print informational insert with certain medications warning of the risks involved when the drug is taken in combination with alcohol or other medications.

**AB 1276
Karnette**

Pharmacies: Prescription Containers: Labels

Two Year Bill

Would, on and after January 1, 2009, require a person who is authorized to write or issue a prescription, other than a veterinarian, to ask a patient or his or her authorized representative whether to indicate the intended purpose of the prescription on the prescription's label, and would subject a person who violates this requirement for a second or subsequent time to a citation and an administrative fine.

**AB 1399
Richardson**

Pharmacies: Prescription Labels

Two Year Bill

Would require a prescription drug label, upon request of a blind or visually impaired customer, to be readable by an assistive technology device for the blind or visually impaired.

**AB 1587
De La Torre**

Personal Information: Pharmacy

Two Year Bill

Would exclude from the definition of marketing a written communication or written message provided to a pharmacy patient by a pharmacist or pharmacy personnel that meets specified conditions.

**SB 472
Corbett**

Prescription Drugs: Labeling Requirements

**Enacted
Chapter 470**

Requires the Board of Pharmacy (Board) to promulgate regulations that require on or before January 1, 2011, a standardized, patient-centered, prescription drug label on all prescription medication dispensed to patients in California; requires the Board to hold special public meetings statewide in order to seek information from specified groups; and requires the Board to report to the Legislature on or before January 1, 2010 on its progress at the time of the report, and to report to the Legislature on or before January 1, 2013 on the status of implementation of the requirements.

SB 615 Oropeza	<u>Pharmacy Technicians: Scholarship & Loan Repayment Program</u>	Vetoed
	Would have established the California Pharmacy Technician Loan Repayment Program administered by the Health Professions Education Foundation to provide scholarships to, and repay the qualifying educational loans of, pharmacy technicians who agree to serve in areas of the state where unmet priority needs exist; and would have required a pharmacy technician to pay a \$10 fee to the California Pharmacy Technician Scholarship and Loan Repayment Program Fund at the time of license renewal.	
SB 843 Calderon	<u>Medical Information</u>	Two Year Bill
	Would allow a pharmacy to make specified communications to a patient, without the patient's authorization, so long as the patient may opt out of receiving those communications. If the communications are paid for by a manufacturer, distributor, or provider of a health care product or service the communication must include a disclosure, in a clear, written, statement the source of any sponsorship.	
SB 1048 Business, Professions & Economic Dev Com	<u>Healing Arts: Pharmacies</u>	Enacted Chapter 588
	Requires a Pharmacy Board (Board) inspector to affix a tag to dangerous drugs and devices that are misbranded; authorize the Board to set the license fee for a temporary wholesaler or temporary nonresident wholesaler license; allows an intern license to be extended for up to two years to allow a licensee to complete the experience requirement; and extends the requirement for a surety bond until January 1, 2015, for a wholesaler or a nonresident wholesaler license.	
<div style="border: 3px double black; padding: 5px; display: inline-block;">(28) PHYSICAL THERAPY</div>		
AB 1444 Emmerson	<u>Physical Therapists: Scope of Practice</u>	Two Year Bill
	Would revise the definition of physical therapy and allow a physical therapists to initiate treatment of conditions within the scope of their practice without first obtaining a referral from a physician and would require physical therapists to refer a patient to a physician or surgeon if they believe a patient's condition requires treatment beyond the scope of physical therapy.	
SB 1049 Business, Professions & Economic Dev Com	<u>Healing Arts: Physical Therapy</u>	Enacted Chapter 587
	Extends the sunset date that authorizes the appointment of the Physical Therapy Board executive officer from July 1, 2007 to July 1, 2013.	

(29) PHYSICIAN ASSISTANTS

**AB 3
Bass**

Physician Assistants

**Enacted
Chapter 376**

Allows physician assistants (PA) to administer, provide, or issue a drug order for Schedule II through Schedule V controlled substances without advance approval from a supervising physician (SP) if the PA completes specified educational requirements. Requires a PA and his or her SP to establish written supervisory guidelines and specifies that this requirement may be satisfied by the adoption of specified protocols. Increases the number of PAs a physician may supervise from two to four. Expands Medi-Cal coverage and reimbursement to include all Medi-Cal covered services that PAs are permitted to perform under state and federal law.

**AB 139
Bass**

Vehicles: Schoolbus Drivers: Medical Exam

**Enacted
Chapter 158**

Authorizes an advanced practice registered nurse qualified to perform a medical examination, or a licensed physician assistant to complete the medical examination required by the Department of Motor Vehicles for drivers of a school bus, school pupil activity bus, youth bus, general public paratransit vehicle, or farm labor vehicle.

**SB 102
Migden**

Blood Transfusions

**Enacted
Chapter 88**

Allows a physician and surgeon or podiatrist to provide, through a nurse midwife, physician assistant, or nurse practitioner, information to a patient on the options and risks associated with receiving a blood transfusion.

**SB 1048
Business,
Professions &
Economic
Dev Com**

Healing Arts: Physician Assistants

**Enacted
Chapter 588**

Authorizes a licensee of the Physician Assistant Committee (Committee) whose license has been revoked or suspended or placed on probation to petition the committee to reinstate the license or modify the penalty after specified minimum periods of time.

(30) PODIATRIC MEDICINE

**SB 102
Migden**

Blood Transfusions

**Enacted
Chapter 88**

Allows a physician and surgeon or podiatrist to provide, through a nurse midwife, physician assistant, or nurse practitioner, information to a patient on the options and risks associated with receiving a blood transfusion.

SB 1048
Business,
Professions &
Economic
Dev Com

Healing Arts: Podiatry

Provides the California Board of Podiatric Medicine (Board) with its own hiring authority; clarifies that the provisions concerning the responsibilities of the Health Quality Enforcement Section within the Department of Justice apply to complaints and proceedings concerning the licensees of the Board; and extends to 100 days the time period within which the Board and the Division of Medical Quality are required to issue an order of non-adoption of a proposed decision by the Medical Quality Hearing Panel.

Enacted
Chapter 588

(31) PRIVATE POSTSECONDARY & VOCATIONAL EDUCATION

AB 1525
Cook

Private Postsecondary Education

Provides that matters pending before the former Bureau for Private Postsecondary and Vocational Education on June 30, 2007 will be considered pending before a successor body; allows for the payment of already-approved Student Tuition Recovery Fund claims by the Director of the Department of Consumer Affairs; and permits the Director to enter into voluntary agreements with institutions to comply with the inoperative Private Postsecondary and Vocational Education Reform Act. **(Urgency Measure)**

Enacted
Chapter 67

SB 45
Perata

Private Postsecondary Education

Establishes a temporary measure, effective from February 1, 2008 to July 1, 2008, to extend various provisions relating to private post-secondary education and establish the Bureau for Private Post-secondary Education.

Enacted
Chapter 635

SB 823
Perata

California Private Postsecondary Education Act of 2007

Would establish the Bureau for Private Postsecondary Education within the Department of Consumer Affairs for the purpose of administering the Act; prohibit a person from operating a private postsecondary educational institution without an approval to operate issued by the Bureau; establish minimum standards and various other requirements for institutions, as well as various student protections; exempt institutions accredited by the Western Association of Schools and Colleges; exempt institutions accredited by regional and specified national accrediting bodies from Bureau approval, but subject them to some provisions of the Act; through January 1, 2011, continue the Student Tuition Recovery Fund under the Bureau, and provide for the inoperation of the Act on January 1, 2012.

Two Year Bill

(32) PSYCHOLOGY

AB 1178
Hernandez

Medical Information: Disclosures

Enacted
Chapter 506

Adds to the Confidentiality of Medical Information Act a provision stating that the disclosure of medical information is allowable under circumstances in which a psychotherapist, in good faith, believes that the disclosure is necessary to prevent or lessen a serious and imminent threat to the health and safety of a reasonably foreseeable victim or victims, and the disclosure is made to a person or persons reasonably able to prevent or lessen the threat, including the target of the threat.

SB 822
Aanestad

Immunity: Evaluation of Practitioner of Healing Arts

Enacted
Chapter 36

Extends immunity from civil liability to individuals who communicate information to psychology graduate schools in order to promote candor during the evaluation process of students and trainees.

SB 993
Aanestad

Psychologists: Scope of Practice: Prescribing Drugs

Two Year Bill

Would require the Board of Psychology (Board) to establish and administer a certification process to allow licensed psychologists to write prescriptions for the treatment of specific disorders; require applicants to meet and maintain specified education and training requirements; enable the Board to charge fees for the issuance and renewal of the prescription certification, and would require an approved program to meet specified reporting requirements.

(33) REGISTERED NURSING

AB 139
Bass

Vehicles: Schoolbus Drivers: Medical Examinations

Enacted
Chapter 158

Authorizes an advanced practice registered nurse qualified to perform a medical examination, or a licensed physician assistant to complete the medical examination required by the Department of Motor Vehicles for drivers of a school bus, school pupil activity bus, youth bus, general public paratransit vehicle, or farm labor vehicle.

AB 1436
Hernandez

Nurse Practitioners: Scope of Practice

Two Year Bill

Would allow nurse practitioners to practice medicine without supervision of a physician and surgeon and would delete the limitation on the number of physician assistants that may be supervised by a physician.

AB 1643
Niello

Nurse Practitioners

Two Year Bill

Would repeal the prohibition against a physician and surgeon supervising more than four nurse practitioners at one time and would also make conforming changes.

SB 102
Migden

Blood Transfusions

Enacted
Chapter 88

Allows a physician and surgeon or podiatrist to provide, through a nurse midwife, physician assistant, or nurse practitioner, information to a patient on the options and risks associated with receiving a blood transfusion.

SB 1048
Business,
Professions &
Economic
Dev Com

Healing Arts: Registered Nursing

Enacted
Chapter 588

Requires employers and agents to verify the status of any license, permit, or certification issued by the Board of Registered Nursing before hiring any licensee of the Board of Registered Nursing.

(34) RESPIRATORY CARE

No bills introduced in the 2007 legislative session.

(35) SECURITY & INVESTIGATIVE SERVICES

SB 659
Calderon

Repossessors

Enacted
Chapter 192

Requires a reposessor to report violent acts and threats of a violent act to the person who assigned the repossession, in addition to the Bureau of Security and Investigative Services, and requires the assignor of the repossession to thereafter inform any other reposessor of the violent act prior to the assignment of any subsequent repossession.

SB 666
Maldonado

Proprietary Security Services

Enacted
Chapter 721

Requires proprietary private security officers to complete security officer skills training as they begin employment and undergo an annual review of this training; and requires the Department of Consumer Affairs' Bureau of Security and Investigative Services to establish a training curriculum by regulation, with the assistance of an advisory committee consisting of specified parties. The Legislature must now provide the Bureau with the legal authority to enforce these requirements.

(36) SPEECH-LANGUAGE PATHOLOGY & AUDIOLOGY

AB 1545
Eng

Professions & Vocations: Sunset Date

Two Year Bill

Would extend the sunset date of the Speech-Language Pathology and Audiology Board for one year.

SB 797
Ridley-Thomas

Professions & Vocations: Speech-Language Pathology & Audiology

Two Year Bill

Would extend the sunset dates for the Speech-Language Pathology and Audiology Board to become inoperative on July 1, 2008 and repealed on January 1, 2009.

(37) STRUCTURAL PEST CONTROL

SB 824
Padilla

Professions & Vocations: Structural Pest Control

Two Year Bill

Would delete obsolete implementation dates and language regarding the Structural Pest Control Board.

SB 1047
Business,
Professions &
Economic
Dev Com

Professions & Vocations: Structural Pest Control

Enacted
Chapter 354

Makes substantial and/or non-substantive changes to several of the Department of Consumer Affairs' (Department) non-health boards; requires every board within the Department to meet at least three times each calendar year; and authorizes the Director of the Department to exempt any board from the meeting requirement upon a showing of good cause and to call a special meeting of the board when a board is not fulfilling its duties.

(38) SUNSET REVIEW

AB 1545
Eng

Professions & Vocations: Sunset Dates

Two Year Bill

Would extend the sunset date for the Dental Board of California to July 1, 2011; and would extend the sunset date of the Speech-Language Pathology and Audiology Board, the Board of Vocational Nursing and Psychiatric Technicians of the State of California, the State Board of Barbering and Cosmetology, and the Court Reporters Board of California for one year.

SB 534
Perata

Dentistry: Dental Assistants & Hygienists

Vetoed

Would have extended the sunset date for the Dental Board of California to July 1, 2011.

SB 620
Correa

Dentistry: General Anesthesia

Enacted
Chapter 210

Deletes the January 1, 2008 sunset date in the Dental Practice Act which allows a physician or a surgeon to administer general anesthesia to a patient at a dental office, as long as the physician or surgeon has a valid permit issued by the Dental Board of California.

SB 797
Ridley-Thomas

Professions & Vocations: Sunset Dates

Two Year Bill

Would extend the sunset dates for the California Architects Board, Board of Barbering and Cosmetology, Court Reporters Board, Speech-Language Pathology and Audiology Board and the Board of Vocational Nursing and Psychiatric Technicians.

SB 963
Ridley-Thomas

Regulatory Boards: Operations

Two Year Bill

Would repeal the existing Sunset Review process, along with the inoperative and repeal dates for all boards within the Department, and instead provide that a board within the Department will be reviewed upon the written request of a member of the Legislature or the Office of the Consumer Advocate.

SB 1049
Business,
Professions &
Economic
Dev Com

Healing Arts: Sunset Date

Extends the sunset date that authorizes the appointment of the Physical Therapy Board executive officer from July 1, 2007 to July 1, 2013.

Enacted
Chapter 587

(39) TELEPHONE MEDICAL ADVICE SERVICES

No bills introduced in the 2007 legislative session

(40) VETERINARY MEDICINE

AB 1347
Caballero

Pet Store Animal Care Act

Enacts the "Pet Store Animal Care Act" to establish procedures for the care and maintenance of animals in the custody of a pet store and establishes an enforcement scheme that would make the first violation of the provisions of this bill punishable with a fix it ticket, a second violation an infraction punishable by a fine not to exceed \$250 and a third violation a misdemeanor with a fine not to exceed \$1,000 for each violation.

Enacted
Chapter 703

AB 1634
Levine

California Healthy Pets Act

Would establish the "California Healthy Pets Act" and enact mandatory spay/neuter laws to prohibit any person from owning or possessing a cat or dog over the age of six months that has not been spayed or neutered, unless that person possesses an intact, permit and authorize the local animal control agency to issue a citation of five hundred dollars for each animal in violation, subject to a 30 day grace period to spay/ neuter/ obtain intact permit as specified.

Two Year Bill

SB 969
Aanestad

Veterinary Medicine: Controlled Substances

Authorizes, until January 1, 2012, a registered veterinary technician or an unregistered assistant, to administer a drug, including a drug that is a controlled substance, except for the induction of anesthesia, under the direct or indirect supervision of a licensed veterinarian.

Enacted
Chapter 83

(41) VOCATIONAL NURSING & PSYCHIATRIC TECHNICIANS

AB 1545
Eng

Professions & Vocations: Sunset Date

Would extend the sunset date for the Board of Vocational Nursing and Psychiatric Technicians of the State of California, for one year.

Two Year Bill

SB 797
Ridley-Thomas

Professions & Vocations: Executive Officer

Would extend the sunset dates for the Board of Vocational Nursing and Psychiatric Technicians of the State of California to become inoperative on July 1, 2008 and repealed on January 1, 2009.

Two Year Bill